

Tri-State Paper, Inc.,
Plaintiff
Scarpinato's Cucina and Catering, L,
Defendant

Adv. Proc. No. 23-00095-pmm

CERTIFICATE OF NOTICE

District/off: 0313-2
Date Rcvd: Jan 02, 2024

User: admin
Form ID: pdf900

Page 1 of 2
Total Noticed: 5

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 04, 2024:

Recip ID	Recipient Name and Address
dft	+ Scarpinato's Cucina and Catering, LLC, 194 Fries Mill Road, Washington Township, NJ 08012-2023
pla	Tri-State Paper, Inc., 4500 N 3rd St, Philadelphia, PA 19140-1502

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
sng	Email/Text: megan.harper@phila.gov	Jan 03 2024 03:49:00	City of Philadelphia, City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor, Philadelphia, PA 19102-1595
sng	Email/Text: RVSVCBICNOTICE1@state.pa.us	Jan 03 2024 03:49:00	Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
ust	+ Email/Text: ustregion03.ph.ecf@usdoj.gov	Jan 03 2024 03:49:00	United States Trustee, Office of United States Trustee, Robert N.C. Nix Federal Building, 900 Market Street, Suite 320, Philadelphia, PA 19107-4202

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 04, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 2, 2024 at the address(es) listed

District/off: 0313-2

User: admin

Page 2 of 2

Date Rcvd: Jan 02, 2024

Form ID: pdf900

Total Noticed: 5

below:

Name	Email Address
MICHAEL A. CIBIK	on behalf of Plaintiff Tri-State Paper Inc. mail@cibiklaw.com, cibiklawpc@jubileebk.net;cibiklaw@recap.email;ecf@kramerica.enterprises;ecf@michaelscottpaper.co;ecf@nalabean.gg
MICHAEL I. ASSAD	on behalf of Plaintiff Tri-State Paper Inc. mail@cibiklaw.com, cibiklawpc@jubileebk.net;cibiklaw@recap.email;ecf@casedriver.com;ecf@kramerica.enterprises;ecf@michaelscottpaper.co;ecf@nalabean.gg

TOTAL: 2

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Tri-State Paper, Inc.,	:	Chapter 11
	:	
Debtor.	:	Bky. No. 23-13237 (PMM)
	:	
<hr/>		
Tri-State Paper, Inc,	:	
	:	
Plaintiff	:	
	:	
v.	:	
	:	Adv. No. 23-0095 (PMM)
Scarpinato's Cucina and Catering, LLC,	:	
	:	
Defendant.	:	
<hr/>		

ORDER STRIKING ANSWER

AND NOW, upon consideration of the Letter filed by Defendant Scarpinato's Cucina and Catering, LLC to the Complaint filed in the above-captioned proceeding (doc. #9, the "Answer");

AND, the Defendant appearing to be a corporation;

AND, the corporation purporting to have filed the Answer pro se;

AND, the Answer being in the form of a letter dated December 21, 2023 and signed by Joseph Scarpinato, Owner;

AND, by virtue of federal law, e.g., 28 U.S.C. §1654, courts having held that a corporation must appear in a federal court through counsel and may not appear pro se. Rowland v. California Men's Colony, 506 U.S. 194, 201–02, (1993) ("It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through

licensed counsel.”) (citations omitted); Simbraw, Inc. v. United States, 367 F. 2d 373 (3d Cir. 1966); MicroBilt Corp. v. Bail Integrity Sols., Inc., 2022 WL 2910462 (D.N.J. July 21, 2022);

Accordingly, it is hereby **ordered** that:

- 1) The Answer is **stricken**;
- 2) The Defendant shall have until **January 22, 2024** to file a proper answer through an attorney at law.
- 3) If the Defendant fails to respond to the Complaint as required by Paragraph 2 above, the Plaintiff may seek the entry of judgment by default.

Date: 1/2/24



Hon. Patricia M. Mayer
United States Bankruptcy Judge